

REMARKS

Claims 1-70 and 73 are currently pending in this application. Claim 73 has been amended and claims 71 and 72 have been cancelled.

Claims 1-73 have been rejected under 35 U.S.C. § 103 as being obvious over the combination of Barzilai and Friedland. Applicant respectfully traverses these rejections, and requests reconsideration of the claims.

Independent claim 1 is directed towards a method for facilitating a service marketplace, wherein a set of service classification and material terms are defined and participants (potential buyers and sellers of services) are registered. Claim 1 further provides for offers and requests for offers for the services from the prospective sellers and buyers of the services. Claim 1 further requires the step of "evaluating and matching the offer and the request for offer based upon the degree of identicalness of the set of service classification and material terms recited in the offer and the request for offer." Claim 1 lastly requires a communication to the matched participants of the result generated by the evaluation and matching step.

Neither the Barzilai nor Friedland patents meet these limitations of claim 1. More particularly, both Barzilai and Friedland disclose an internet or online computer marketplace for goods and services, which is simply an auction system wherein the highest bidder wins the goods or services. Barzilai and Friedland, either alone or in combination, do not disclose any evaluating or matching process based upon the degree of identicalness of the terms of the offers or requests for offers, as required by claim 1. Furthermore, Barzilai and Friedland do not match the buyers and sellers based upon their material terms, in accordance with claim 1, but merely identify the highest bidder for the goods or services.

Accordingly, claim 1 distinguishes over the cited references so as to be allowable.

Claims 2-58 depend from claim 1 and should be allowable as depending from an allowable base claim.

Independent claim 59 is directed towards a system for facilitating a services marketplace. Claim 59 requires a storage medium for storing a set of service classification and material terms, and at least one offer and one request for offer provided by the service sellers and buyers. Claim 59 further requires a data processor "for evaluating and matching the offer and the request for offer based upon the degree of identicalness of said set of service classification and material terms in the offer and the request for offer; and for communicating to matched participants of the evaluated and matched data." As discussed above with respect to claim 1, neither Barzilai nor Friedland have any disclosure of a data processor which evaluates and matches the offers and offer requests based upon the degree of identicalness of the material terms. Therefore, claim 59 distinguishes over the cited references so as to be allowable.

Independent claim 60 is directed towards an apparatus for facilitating a services marketplace, and requires "means for evaluating and matching the offer and the request for offer based upon the degree of identicalness of said set of service classification and material terms recited in the offer and the request for offer." Again, since Barzilai and Friedland do not meet this limitation of claim 60, as discussed with respect to claims 1 and 59, claim 60 distinguishes over the cited references so as to be allowable. Claims 61-66 depend from claim 60 and should be allowable as depending from an allowable base claim.

Independent claim 67 is directed towards a computer program product for facilitating a services marketplace, and requires "a module for evaluating and matching the offer and the request for offer based upon the degree of identicalness of said set of service classification and

material terms recited in the offer and request for offer." As discussed above, since Barzilai and Friedland do not meet this limitation, claim 67 distinguishes over the cited references so as to be allowable.

Independent claim 68 is directed towards a computerized method for determining an optimized business action or plan, including the steps of data-mining customer or market information, and simulating the market based upon the results of the data-mining step and certain operation steps. Barzilai and Friedland have no disclosure relating to such a business optimization method. Therefore, claim 68 distinguishes over the cited references so as to be allowable.

Claims 69 and 70 are directed towards a method for automatically contacting 911 for emergency services. Since Barzilai and Friedland have no disclosure regarding a 911 emergency service method, claims 69 and 70 are in proper form for allowance.

Independent claim 71 and depending claim 72 have been cancelled.


Independent claim 73 is directed towards a computerized method for auctioning services, including the step of defining a set of service classification and material terms, and matching one offer or request for offer with service classification and material terms identical to those described in the initial request for offers over the initial offer. As discussed above, since Barzilai and Friedland do not match offers and requests for offers based upon identical material terms, claim 73 distinguishes over these references so as to be allowable.

In view of the foregoing, Applicant respectfully requests that a Notice of Allowance be issued.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,


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